

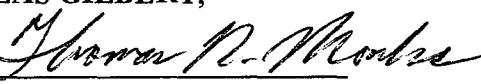
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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NICHOLAS GILBERT, individually and on : Case No.: 15-cv-06570-EAW
behalf of all others similarly situated, :
: **NOTICE OF RULE 41**
Plaintiff, : **VOLUNTARY DISMISSAL**
: :
v. :
: :
EXCELLUS HEALTH PLAN, INC., a :
New York corporation, :
: :
Defendant. :
: :
-----X

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Nicholas Gilbert hereby voluntarily dismisses his action, Case No. 15-cv-06570-EAW, without prejudice.

Respectfully submitted,

NICHOLAS GILBERT,

By: /s/ 
One of Plaintiff's Attorneys

Dated: October 28, 2015

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